

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

EDWARD L. GILMORE,

Plaintiff,

v.

ERIC HOLDER,  
in his official capacity as  
Attorney General of the United States,

Defendant.

Civil Action No. 1:13-cv-789  
(LMB/IDD)

Objections to Plaintiff's Proposed Exhibits

Pursuant to the Court's May 29, 2014 Order (Dkt. No. 147) and Rule 26(a)(3), Defendant, through his undersigned counsel, hereby respectfully submits the following objections to plaintiff's proposed trial exhibit list filed in the above-captioned matter:

Exhibit No.	Date	Description	Bates No.	Objection
PX001	11/07/1990	Mahe Memorandum re: Special Agent Promotions	ELG00001927-63	FRE 401, 402
PX002	2001	DEA Assessment Center Profile	ELG00000656	FRE 401, 402 Defendant's MIL Point III
PX003	06/21/2001	Gilmore SAPP Results and Explanation	ELG00001889-93	FRE 401, 402 Defendant's MIL Point III
PX004		Gilmore SAPP Narrative by Wheeler	ELG00001901-03	FRE 401, 402 Defendant's MIL Point III
PX005		Gilmore SAPP Narrative	ELG00000660-62	FRE 401, 402 Defendant's MIL Point III
PX006		Mr. Gilmore's Senior Executive Service Application	ELG00000819- ELG00000857	FRE 401, 402
PX007	06/01/2003	Kasch Letter re: SES Application Rating	ELG00000094	

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX008	01/03/2001	Gilmore PRS Summary Form	ELG00001896-98	FRE 401, 402 Defendant's MIL Point III
PX009	01/03/2001	Gilmore PRS Summary Form	ELG00002147-49	FRE 401, 402 Defendant's MIL Point III
PX010	01/03/2001	Gilmore PRS Summary Form	ELG00001970-72	FRE 401, 402 Defendant's MIL Point III
PX011		Gilmore Performance Appraisal Record (7/95 - 1/96)	DEA-00000256-81	FRE 401, 402
PX012		Gilmore Performance Appraisal Record (1/96 - 6/96)	DEA-00000228-55	FRE 401, 402
PX013		Gilmore Performance Appraisal Record (4/96 - 6/96)	DEA-00000198-227	FRE 401, 402
PX014		Gilmore Performance Appraisal Record (7/96 - 6/97)	DEA-00000166-97	FRE 401, 402
PX015		Gilmore Performance Appraisal Record (7/97 - 6/98)	DEA-00000139-65	FRE 401, 402
PX016		Gilmore Performance Appraisal Record (7/98 - 12/99)	ELG00001917-21	FRE 401, 402
PX017		Gilmore Performance Appraisal Record (1/00 - 12/00)	ELG00001906-13	FRE 401, 402
PX018		Gilmore Performance Appraisal Record (1/00 - 5/00)	DEA-00000108-12	FRE 401, 402
PX019		Gilmore Performance Appraisal Record (5/00 - 12/00)	DEA-00000097-100	FRE 401, 402
PX020		Gilmore Performance Appraisal Record (1/01 - 12/01)	DEA-00000078-80	FRE 401, 402
PX021		Gilmore Performance Appraisal Record (5/02 - 12/02)	ELG00001871-77	FRE 401, 402
PX022		Gilmore Performance Appraisal Record (1/02 - 5/02)	ELG00001880-86	FRE 401, 402

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX023		Gilmore Performance Appraisal Record (1/03 - 12/03)	ELG00001860-67	FRE 401, 402
PX024		Gilmore Performance Appraisal Record (1/04 - 12/04)	ELG00001850-57	FRE 401, 402
PX025		Gilmore Performance Appraisal Record (1/05 - 10/05)	ELG00001834-47	FRE 401, 402
PX026		Gilmore Performance Appraisal Record (10/05 - 1/06)	ELG00001816-31	
PX027		Gilmore Performance Appraisal Record (1/06 - 12/06)	ELG00002014-29	
PX028	10/09/2007	Gilmore Performance Review (1/07 - 9/07)	ELG00002127-46	
PX029 <sup>1</sup>	10/09/2007	Gilmore Performance Review (1/07 – 9/07)	DEA-00000531-50	
PX030	6/13/2006	Kasch Letter re: Roach SES Application Rating	DEA-00001450	
PX031	2/24/2002	SES Application Handbook	DEA-ROI-0000323-345	
PX032	11/7/2002	Memo to Attorney General re New SES Positions	DEA-00001513-1538	
PX033		United States Office of Personnel Management - Report on Senior Executive Pay & Performance Appraisal System for Fiscal Year 2009		FRE 402, 403, Defendant's MIL Point IV
PX034		Edward Gilmore Curriculum Vitae	ELG00000816-17	
PX035	05/24/1990	Martin Letter to Hammond re: Commendation of Special Agents Dave Panek and Ed Gilmore	ELG00000484-86	FRE 401, 402
PX036	08/17/1998	Simpkins Letter to Gilmore	ELG00000647	FRE 401, 402

<sup>1</sup> Defendant notes that Plaintiff objected under Rule of Evidence 802 to Defendant's Exhibit 28, which consists of the same Bates stamped pages as PEX029. Defendant also notes that PEX028 and PEX029 appear to be identical documents.

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX037		Inspection Division Office of Security Programs Executive Section (IS) 2007 Self- Inspection	DEA-00001022-28	
PX038	04/11/2006	Guevara E-mail to Stawicki re: SAPP	DEA-00000768	
PX039	05/24/2006	Gilmore E-mail to Leonhart re: Career Status	DEA-00000577	
PX040	5/24/2006	Leonhart E-mail to Gilmore re: Career Status	DEA-00001669	
PX041	09/26/2006	Leonhart E-mail to Guevara re: Call from DOJ	DEA-00000572	
PX042	06/01/2007	Briefing Book to James Kasson	ELG00001055-88	
PX043	08/23/2007	Leonhart E-mail to Kasson	DEA-00000553-55	
PX044	10/18/2007	Tandy E-mail to Leonhart re: As we discussed	DEA-00000962-63	
PX045	10/18/2007	Tandy E-mail to Leonhart re: As we discussed	DEA-00000960-61	
PX046	10/18/2007	Tandy E-mail to Leonhart re: As we discussed	DEA-00000958-59	
PX047	12/14/2007	Kasson E-mail to Gilmore re Help Provided by Chicago Div. Office	DEA-00001018	
PX048	01/23/2002	Minutes of Career Board Meeting	DEA-00000801-17	FRE 401, 402
PX049	08/03/2005	Minutes of Career Board Meeting	DEA-00001058-70	
PX050	10/04/2005	Minutes of Career Board Meeting	DEA-00001071-87	FRE 401, 402 Defendant's MIL Point II
PX051	01/12/2006	Minutes of Career Board Meeting	DEA-00001114-56	FRE 401, 402
PX052		SES Best Qualified List by ASAC Experience	DEA-00001102-04	

Exhibit No.	Date	Description	Bates No.	Objection
PX053		Promotion Information Related to Individuals on SES BQL, QL, MQL Lists During Time Plaintiff was on SES BQL	DEA-00001568-71	
PX054	August 11, 2006	Paul McNulty memo re: FY 2006 SES bonuses and pay adjustments	DEA-00003250-51	FRE 402, 403, Defendant's MIL Point IV
PX055	August 1, 2007	Paul McNulty memo re: FY 2007 SES bonuses and pay adjustments	DEA-00003252-53	FRE 402, 403, Defendant's MIL Point IV
PX056	September 18, 2008	Rod Markham memo re: SES appraisals for FY 2008	DEA-00003254-56	FRE 402, 403, Defendant's MIL Point IV
PX057	August 22, 2008	Mark Filip memo re: FY 2008 SES bonuses and pay adjustments	DEA-00003257-58	FRE 402, 403, Defendant's MIL Point IV
PX058	September 11, 2009	David Ogden memo re: FY 2009 SES bonuses and pay adjustments	DEA-00003259	FRE 402, 403, Defendant's MIL Point IV
PX059	October 16, 2010	Gary Grindler memo re: FY 2010 SES bonuses and pay adjustments	DEA-00003260	FRE 402, 403, Defendant's MIL Point IV
PX060	September 29, 2011	James Cole memo re: 2011 SES bonuses	DEA-00003261	FRE 402, 403, Defendant's MIL Point IV
PX061	2007	Federal Tax Return Forms	ELG00001022-29	FRE 402, 403, Defendant's MIL Point IV
PX062	2007	Illinois Tax Return Forms	ELG00000992-98	FRE 402, 403, Defendant's MIL Point IV
PX063	2007	Form 1040	ELG00000983-91	FRE 402, 403, Defendant's MIL Point IV
PX064	2007	Virginia Tax Documents	ELG00000015-17	FRE 402, 403, Defendant's MIL Point IV
PX065	2007	Virginia Tax Return	ELG00000009-14	FRE 402, 403, Defendant's MIL Point IV
PX066	2008	Federal Tax Return Forms	ELG00001016-21	FRE 402, 403, Defendant's MIL Point IV

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX067	2008	Illinois Tax Return Forms	ELG00001009-15	FRE 402, 403, Defendant's MIL Point IV
PX068	2008	Virginia Tax Return Forms	ELG00001006-ELG00001008	FRE 402, 403, Defendant's MIL Point IV
PX069	2008	Form 1040	ELG00000999-1005	FRE 402, 403, Defendant's MIL Point IV
PX070	2008	Form W-2	ELG00000020	FRE 402, 403, Defendant's MIL Point IV
PX071	2008	Form W-2	ELG00000018	FRE 402, 403, Defendant's MIL Point IV
PX072	2008	Form W-2	ELG00002166	FRE 402, 403, Defendant's MIL Point IV
PX073	2009	Form W-2	ELG00001196-97	FRE 402, 403, Defendant's MIL Point IV
PX074	2009	Illinois Tax Return Forms	ELG00001042-46	FRE 402, 403, Defendant's MIL Point IV
PX075	2009	Federal Tax Return Forms	ELG00001036-41	FRE 402, 403, Defendant's MIL Point IV
PX076	2009	Tax Document	ELG00000049	FRE 402, 403, Defendant's MIL Point IV
PX077	2009	Form W-2c	ELG00000046-47	FRE 402, 403, Defendant's MIL Point IV
PX078	2009	Form W-2	ELG00000043	FRE 402, 403, Defendant's MIL Point IV
PX079	2009	CSA Form 1099R	ELG00000036-42	FRE 402, 403, Defendant's MIL Point IV
PX080	2010	Tax Documents	ELG00001340-46	FRE 402, 403, Defendant's MIL Point IV
PX081	2010	Statements of Annuity Paid	ELG00001338-39	FRE 402, 403, Defendant's MIL Point IV

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX082	2010	Form 1099	ELG00001332-37	FRE 402, 403, Defendant's MIL Point IV
PX083	2010	Tax Documents	ELG00001327-31	FRE 402, 403, Defendant's MIL Point IV
PX084	2010	Form W-2	ELG00000450-51	FRE 402, 403, Defendant's MIL Point IV
PX085	2010	Form W-2	ELG00000449	FRE 402, 403, Defendant's MIL Point IV
PX086	2010	Illinois Tax Return Forms	ELG00001324-26	FRE 402, 403, Defendant's MIL Point IV
PX087	2010	Federal Tax Return Forms	ELG00001317-22	FRE 402, 403, Defendant's MIL Point IV
PX088	2011	Statement of Annuity Paid	ELG00001323	FRE 402, 403, Defendant's MIL Point IV
PX089	2011	Form W-2	ELG00000456	FRE 402, 403, Defendant's MIL Point IV
PX090	2011	Form W-2	ELG00000455	FRE 402, 403, Defendant's MIL Point IV
PX091	2011	Form W-2	ELG00000454	FRE 402, 403, Defendant's MIL Point IV
PX092	2011	Form W-2	ELG00000452	FRE 402, 403, Defendant's MIL Point IV
PX093	5/9/2009	Employment Agreement	ELG00000100-108	FRE 402, 403, Defendant's MIL Point IV
PX094	2008	Statement of Annuity Paid	ELG00001203	FRE 402, 403, Defendant's MIL Point IV
PX095	2009	Statement of Annuity Paid	ELG00001204	FRE 402, 403, Defendant's MIL Point IV
PX096	2010	Statement of Annuity Paid	ELG00001205	FRE 402, 403, Defendant's MIL Point IV

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX097	2011	Statement of Annuity Paid	ELG00001206	FRE 402, 403, Defendant's MIL Point IV
PX098	2012	Statement of Annuity Paid	ELG00001207	FRE 402, 403, Defendant's MIL Point IV
PX099	01/07/07	Personnel Action Form	ELG00002177	FRE 402, 403, Defendant's MIL Point IV
PX100	09/07/06	Personnel Action Form	ELG00002178	FRE 402, 403, Defendant's MIL Point IV
PX101	01/08/06	Personnel Action Form	ELG00002179	FRE 402, 403, Defendant's MIL Point IV
PX102	10/30/05	Personnel Action Form	ELG00002180-81	FRE 402, 403, Defendant's MIL Point IV
PX103	02/24/2014	U.S. Office of FERS Information Computation		FRE 402, 403, Defendant's MIL Point IV
PX104		SES Salary Table 2007		FRE 402, 403, Defendant's MIL Point IV
PX105		SES Salary Table 2008		FRE 402, 403, Defendant's MIL Point IV
PX106		SES Salary Table 2009		FRE 402, 403, Defendant's MIL Point IV
PX107		SES Salary Table 2010		FRE 402, 403, Defendant's MIL Point IV
PX108		SES Salary Table 2011		FRE 402, 403, Defendant's MIL Point IV
PX109	03/18/2014	Daily Treasury Yield Curve Rates		FRE 402, 403, Defendant's MIL Point IV
PX110	01/06/2014	National Vital Statistics Report, Vol. 62, No. 7 – United States Life Tables 2009		FRE 402, 403, Defendant's MIL Point IV
PX111	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel		FRE 402, 403, Defendant's MIL Point IV



<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX112	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit A		FRE 402, 403, Defendant's MIL Point IV
PX113	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit B		FRE 402, 403, Defendant's MIL Point IV
PX114	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit C		FRE 402, 403, Defendant's MIL Point IV
PX115	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 1		FRE 402, 403, Defendant's MIL Point IV
PX116	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 2		FRE 402, 403, Defendant's MIL Point IV
PX117	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 3		FRE 402, 403, Defendant's MIL Point IV
PX118	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 3.1		FRE 402, 403, Defendant's MIL Point IV
PX119	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 4		FRE 402, 403, Defendant's MIL Point IV
PX120	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 5		FRE 402, 403, Defendant's MIL Point IV
PX121	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 6		FRE 402, 403, Defendant's MIL Point IV
PX122	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 6.1		FRE 402, 403, Defendant's MIL Point IV
PX123	02/26/2014	Expert Report of Robert A. Hutchins and Andrew J. Ackel – Exhibit 6.2		FRE 402, 403, Defendant's MIL Point IV
PX124	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel		FRE 402, 403, Defendant's MIL Point IV
PX125	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit C		FRE 402, 403, Defendant's MIL Point IV

<b>Exhibit No.</b>	<b>Date</b>	<b>Description</b>	<b>Bates No.</b>	<b>Objection</b>
PX126	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 7.0		FRE 402, 403, Defendant's MIL Point IV
PX127	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 8.0		FRE 402, 403, Defendant's MIL Point IV
PX128	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 8.1		FRE 402, 403, Defendant's MIL Point IV
PX129	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 9.0		FRE 402, 403, Defendant's MIL Point IV
PX130	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 9.1		FRE 402, 403, Defendant's MIL Point IV
PX131	4/15/14	Expert Report Supplement of Robert A. Hutchins and Andrew J. Ackel – Exhibit 10.0		FRE 402, 403, Defendant's MIL Point IV

Objections to Plaintiff's Proposed Deposition Designations

Defendant opposes all of the plaintiff's deposition designations, as set forth in Attachments A-E of Plaintiff's disclosures, as former testimony inadmissible at trial under Federal Rule of Evidence 804(b)(1).

Deposition of Mark Mazzei taken on March 7, 2014	Attachment A
Deposition of James Kasson taken on March 11, 2014	Attachment B
Deposition of Rogelio Guevara taken on March 14, 2014	Attachment C
Deposition of Pamela Horvath taken on April 3, 2014	Attachment D
Deposition of Michele Leonhart taken on April 9, 2014	Attachment E

**Attachment A**

<b>Deposition of Mark Mazzei Taken on March 7, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
7:14-16	FRE 804(b)(1)			
9:19-10:3	FRE 804(b)(1)			
22:14-17	FRE 804(b)(1)			
37:17-38:5	FRE 804(b)(1)			
55:3-8	FRE 804(b)(1)			
59:22-60:8	FRE 804(b)(1)			
60:12-15	FRE 804(b)(1)			
113:16-20	FRE 804(b)(1)			
114:1-6	FRE 804(b)(1)			
114:8-115:4	FRE 804(b)(1)			
133:16-20	FRE 804(b)(1)			

**Attachment B**

<b>Deposition of James Kasson Taken on March 11, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
8:15-19	FRE 804(b)(1)			
9:3-5	FRE 804(b)(1)			
9:16-18	FRE 804(b)(1)			
41:11-20	FRE 804(b)(1)			
42:15-18	FRE 804(b)(1)			
44:19-45:4	FRE 804(b)(1)			
46:22-47:7	FRE 804(b)(1)			
47:16-18	FRE 804(b)(1)			
47:21-48:1	FRE 804(b)(1)			
48:4	FRE 804(b)(1)			
48:13-49:7	FRE 804(b)(1)			
49:9-50:1	FRE 804(b)(1)			
50:5-6	FRE 804(b)(1)			
50:9-21	FRE 804(b)(1)			
51:4-16	FRE 804(b)(1)			
52:4-5	FRE 804(b)(1)			
52:8-12	FRE 804(b)(1)			
52:14-53:6	FRE 804(b)(1)			
53:21-54:8	FRE 804(b)(1)			
54:10-12	FRE 804(b)(1)			
56:2-5	FRE 804(b)(1)			
56:11-12	FRE 804(b)(1)			
57:8-10	FRE 804(b)(1)			
57:12	FRE 804(b)(1)			
58:19-20	FRE 804(b)(1)			
59:7-11	FRE 804(b)(1)			
67:22-68:2	FRE 804(b)(1)			
68:5-6	FRE 804(b)(1)			
68:10-12	FRE 804(b)(1)			
68:15-69:3	FRE 804(b)(1)			
69:9-10	FRE 804(b)(1)			
69:12-17	FRE 804(b)(1)			
69:20-70:1	FRE 804(b)(1)			
70:3	FRE 804(b)(1)			
88:22-89:13	FRE 804(b)(1)			
91:7-13	FRE 804(b)(1)			
95:4-96:1	FRE 804(b)(1)			
96:13-14	FRE 804(b)(1)			
96:16-18	FRE 804(b)(1)			
99:17-21	FRE 804(b)(1)			
107:17-108:7	FRE 804(b)(1)			

<b>Deposition of James Kasson Taken on March 11, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
138:20–139:1	FRE 804(b)(1)			
139:8–141:12	FRE 804(b)(1)			
142:7-9	FRE 804(b)(1)			
142:11	FRE 804(b)(1)			
153:10–154:2	FRE 804(b)(1)			
156:1-4	FRE 804(b)(1)			
156:6-10	FRE 804(b)(1)			
166:14–167:2	FRE 804(b)(1)			
168:8-13	FRE 804(b)(1)			
171:13–172:2	FRE 804(b)(1)			
172:9-11	FRE 804(b)(1)			
172:13	FRE 804(b)(1)			
188:12–189:9	FRE 804(b)(1)			

**Attachment C**

<b>Deposition of Rogelio Guevara taken on March 14, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
5:6-9	FRE 804(b)(1)			
21:17-19	FRE 804(b)(1)			
22:1-8	FRE 804(b)(1)			
23:12-13	FRE 804(b)(1)			
23:22-24:6	FRE 804(b)(1)			
25:4-6	FRE 804(b)(1)			
25:19-26:7	FRE 804(b)(1)			
26:16-27:11	FRE 804(b)(1)			
27:13-20	FRE 804(b)(1)			
28:8-29:2	FRE 804(b)(1)			
29:4-9	FRE 804(b)(1)			
29:12-17	FRE 804(b)(1)			
34:3-11	FRE 804(b)(1)			
37:11-16	FRE 804(b)(1)			
44:5-6	FRE 804(b)(1)			
44:8	FRE 804(b)(1)			
48:6-20	FRE 804(b)(1)			
48:21-49:12	FRE 804(b)(1)			
53:1-9	FRE 804(b)(1)			
56:8-12	FRE 804(b)(1)			
56:14-16	FRE 804(b)(1)			
63:4-8	FRE 804(b)(1)			
66:15-67:13	FRE 804(b)(1)			
71:17-19	FRE 804(b)(1)			
71:21-72:9	FRE 804(b)(1)			
72:11-73:2	FRE 804(b)(1)			
73:4-7	FRE 804(b)(1)			
73:9-10	FRE 804(b)(1)			
73:12-74:16	FRE 804(b)(1)			
77:5-6	FRE 804(b)(1)			
77:8-15	FRE 804(b)(1)			
79:10-80:5	FRE 804(b)(1)			
80:14-81:6	FRE 804(b)(1)			
82:12-18	FRE 804(b)(1)			
90:4-8	FRE 804(b)(1)			
93:4-97:15	FRE 804(b)(1)			
97:17-99:5	FRE 804(b)(1)			
100:6-102:16	FRE 804(b)(1)			
106:1-11	FRE 804(b)(1)			
106:13-22	FRE 804(b)(1)			
111:18-112:10	FRE 804(b)(1)			

<b>Deposition of Rogelio Guevara taken on March 14, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
112:21–113:9	FRE 804(b)(1)			
114:4–115:1	FRE 804(b)(1)			
119:11–120:6	FRE 804(b)(1)			
120:8-10	FRE 804(b)(1)			
120:12-13	FRE 804(b)(1)			
125:13–126:6	FRE 804(b)(1)			
127:10–129:7	FRE 804(b)(1)			
129:9–135:13	FRE 804(b)(1)			
135:15–136:6	FRE 804(b)(1)			
136:14–137:4	FRE 804(b)(1)			
137:6–141:10	FRE 804(b)(1)			
141:15–142:6	FRE 804(b)(1)			
143:2–147:12	FRE 804(b)(1)			
147:14-18	FRE 804(b)(1)			
147:20–149:7	FRE 804(b)(1)			
149:10–150:8	FRE 804(b)(1)			
151:1–158:9	FRE 804(b)(1)			
158:17–160:10	FRE 804(b)(1)			
160:12–161:14	FRE 804(b)(1)			
161:16–163:16	FRE 804(b)(1)			
163:21–165:17	FRE 804(b)(1)			
165:20-22	FRE 804(b)(1)			
166:2	FRE 804(b)(1)			
166:3-22	FRE 804(b)(1)			
167:2-15	FRE 804(b)(1)			
168:5–169:5	FRE 804(b)(1)			
169:15–170:18	FRE 804(b)(1)			
170:20	FRE 804(b)(1)			
171:6–173:15	FRE 804(b)(1)			
173:21–176:4	FRE 804(b)(1)			
177:3-9	FRE 804(b)(1)			
177:16–178:3	FRE 804(b)(1)			
179:17–180:3	FRE 804(b)(1)			
180:17–181:9	FRE 804(b)(1)			
182:11-14	FRE 804(b)(1)			
182:15-22	FRE 804(b)(1)			
183:2	FRE 804(b)(1)			
183:4-6	FRE 804(b)(1)			
183:9-16	FRE 804(b)(1)			
183:19-20	FRE 804(b)(1)			
183:21–184:16	FRE 804(b)(1)			
185:1-15	FRE 804(b)(1)			
185:18–186:5	FRE 804(b)(1)			

<b>Deposition of Rogelio Guevara taken on March 14, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
186:6–187:7	FRE 804(b)(1)			
187:10–188:3	FRE 804(b)(1)			
188:5-10	FRE 804(b)(1)			
188:12–189:7	FRE 804(b)(1)			
189:9-21	FRE 804(b)(1)			
190:1-7	FRE 804(b)(1)			
190:12-14	FRE 804(b)(1)			
190:16-22	FRE 804(b)(1)			
191:3-7	FRE 804(b)(1)			
191:10–192:7	FRE 804(b)(1)			
194:9	FRE 804(b)(1)			
194:11–195:7	FRE 804(b)(1)			
195:9-18	FRE 804(b)(1)			
195:20	FRE 804(b)(1)			
196:3-17	FRE 804(b)(1)			
208:17-21	FRE 804(b)(1)			
209:1-3	FRE 804(b)(1)			



**Attachment D**

<b>Deposition of Pamela Horvath taken April 3, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
8:7-9:12	FRE 804(b)(1)			
19:7-20:2	FRE 804(b)(1)			
24:7-18	FRE 804(b)(1)			
24:19-21	FRE 804(b)(1)			
25:2-3	FRE 804(b)(1)			
26:20-27:11	FRE 804(b)(1)			
33:15-35:21	FRE 804(b)(1)			
36:19-22	FRE 804(b)(1)			
37:1-22	FRE 804(b)(1)			
38:4-8	FRE 804(b)(1)			
39:10-40:5	FRE 804(b)(1)			
42:17-43:19	FRE 804(b)(1)			
44:16-45:4	FRE 804(b)(1)			
50:14-19	FRE 804(b)(1)			
52:5-11	FRE 804(b)(1)			
53:10-54:7	FRE 804(b)(1)			
64:2-66:1	FRE 804(b)(1)			
67:11-68:5	FRE 804(b)(1)			
69:16-22	FRE 804(b)(1)			

**Attachment E**

<b>Deposition of Michele Leonhart taken April 9, 2014</b>				
<b>Plaintiffs' Designations</b>	<b>DEA's Counter Designations</b>			
	<b>DEA's Objections</b>	<b>DEA's Counter-Designations</b>	<b>Plaintiff's Objections</b>	<b>Plaintiff's Rebuttal Designations</b>
6:7-10	FRE 804(b)(1)			
13:2-5	FRE 804(b)(1)			
13:6-21	FRE 804(b)(1)			
14:9-18	FRE 804(b)(1)			
15:19-17:10	FRE 804(b)(1)			
19:11-20:4	FRE 804(b)(1)			
20:10-21:6	FRE 804(b)(1)			
22:1-15	FRE 804(b)(1)			
25:6-26:17	FRE 804(b)(1)			
31:19-32:7	FRE 804(b)(1)			
34:4-6	FRE 804(b)(1)			
51:9-56:2	FRE 804(b)(1)			
56:5-57:20	FRE 804(b)(1)			
58:2-17	FRE 804(b)(1)			
59:9-61:6	FRE 804(b)(1)			
61:12-16	FRE 804(b)(1)			
62:12-63:7	FRE 804(b)(1)			
64:14-65:5	FRE 804(b)(1)			
76:5-77:15	FRE 804(b)(1)			
79:11-81:3	FRE 804(b)(1)			
97:3-9	FRE 804(b)(1)			
116:21-117:14	FRE 804(b)(1)			
123:22-124:20	FRE 804(b)(1)			
129:8-130:2	FRE 804(b)(1)			
137:2-17	FRE 804(b)(1)			
145:10-17	FRE 804(b)(1)			
147:22-149:10	FRE 804(b)(1)			

**Objections to Plaintiff's Witness List**

Defendant objects to the inclusion of Mark Mazzei on Plaintiff's "may call" list under Federal Rules of Evidence 401 and 402.

Dated: June 4, 2014

Respectfully submitted,

DANA J. BOENTE  
UNITED STATES ATTORNEY

By: \_\_\_\_\_/s/

R. JOSEPH SHER

AYANA N. FREE

Assistant United States Attorneys

ERIN K. MURDOCK-PARK

Special Assistant United States Attorney

OFFICE OF THE UNITED STATES ATTORNEY

Justin W. Williams Building

2100 Jamieson Avenue

Alexandria, Virginia 22314

Telephone: (703) 299-3911

Fax: (703) 299-3983

Email: erin.murdock-park@usdoj.gov

*Counsel for the Defendant*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 4, 2014, I will file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to the following:

Bradford Hardin (#76812)  
WILMER CUTLER PICKERING HALE AND DORR LLP  
1899 Pennsylvania Avenue NW  
Washington, DC 20006  
Telephone: (202) 663-6000  
Facsimile: (202) 663-6363  
bradford.hardin@wilmerhale.com  
*Counsel for the Plaintiff*

/s/

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Erin K. Murdock-Park  
Special Assistant United States Attorney  
Office of the United States Attorney  
Justin W. Williams Building  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Telephone: (703) 299-3911  
Fax: (703) 299-3983  
Email: erin.murdock-park@usdoj.gov  
*Counsel for the Defendant*